

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.4851 of 2007

30.4.2007

Between:

P.Maruthi Rao

... Petitioner

AND

The Assistant Sugarcane Development Commissioner

And another

... Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.4851 of 2007

ORDER:

The petitioner filed the instant writ petition seeking a writ of Mandamus declaring the action of the second respondent in not issuing permits for supply of sugarcane to M/s.Trident Sugars Limited, as per the agreement No.60747156 and Rythu Code No.806002, dated 03.7.2006, as illegal and arbitrary and for a consequential direction.

The petitioner alleges that M/s.Trident Sugars Limited agreed to purchase sugarcane crop in his land admeasuring Acs.9.00 in survey No.90/A and when he approached second respondent for permit for supply of 54 tons of sugarcane, permits were denied.

In the counter affidavit filed by the first respondent, it is stated that second respondent has no statutory right to enter into agreement with the petitioner. The petitioner does not enter into agreement either with M/s.GSR Sugars, Maagi nor M/s.Trident Sugars and, therefore, second respondent is not entitled to issue permits.

This matter is coming up for admission from 09.3.2007. At one point of time, it was brought to the notice of this Court that the Government of Andhra Pradesh announced a policy decision directing all the sugarcane industries extending crushing season having regard to the increase in the sugarcane production. The matter was, therefore, adjourned to enable the petitioner to supply sugarcane to M/s.GSR Sugars. Today when the case is called, learned Counsel submits that the petitioner has started supplying sugarcane to M/s.Nizam Sugar Factory but the harvesting charges of RS.250/- and transport charges of Rs.500/- are not being paid. In such an event, petitioner may approach the first respondent and seek redressal. Insofar as the writ petition is concerned, nothing survives.

The writ petition is accordingly dismissed as infructuous. No costs.

(V.V.S.RAO, J)

April 30, 2007.
YS